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Attorneys for Defendant Cave Creek Unified School District

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Sarah Johnson, as mother of MC, a minor child,

No.

Plaintiffs,

Maricopa County Superior Court
Case No. CV2024-030858

VS.

Peoria Unified School District; Cave Creek Unified School District; Deer Valley Unified School District; Debbie Burdick; Mark Warren; Robert Miller; Nancy Shaver, Julie Vandenberg; Sydney Meyers; Matthew Owsley; Jennifer Purvis; Janiene Marlow; Jana Miller; Joshua Rawlings; Monica Clay,

Notice of Removal

Defendants.

PLEASE TAKE NOTICE that defendant Cave Creek Unified School District, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby removes the state court action described above to this Court. The grounds for removal are as follows:

1. Plaintiffs commenced this action in the Superior Court of the State of Arizona for the County of Maricopa on October 29, 2024, in Case Number CV2024-030858.

1 2. On December 3, 2024, defendant Cave Creek Unified School District
2 received the Summons, Complaint, and Certificate of Compulsory Arbitration.
3

4 3. On information and belief, other than Plaintiffs' filing of the Complaint and
5 the Certificate of Compulsory Arbitration, no proceedings have been held in this action in
6 the Superior Court of the State of Arizona for the County of Maricopa as of the date of this
7 filing of Notice of Removal.
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9 4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely as it has
10 been filed with this Court within thirty (30) days after receipt of the Complaint.
11

12 5. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §
13 1331 because Plaintiffs' Complaint asserts a federal claim under Title VI of the Civil
14 Rights Act of 1964 (42 U.S.C. § 2000d).
15

16 6. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all papers,
17 notices, process, pleadings, and orders provided to the Defendant are attached as **Exhibit 1**,
18 and by this reference are specifically made a part of this Notice of Removal.
19

20 7. Defendant Cave Creek Unified School District will promptly provide notice
21 of the filing of this Notice of Removal to counsel for Plaintiffs and a copy of this Notice of
22 Removal will be filed with the Clerk of the Superior Court of the State of Arizona for the
23 County of Maricopa, pursuant to 28 U.S.C. § 1446(d). Under 28 U.S.C. § 1441, and all
24 applicable statutes with which Defendant Cave Creek Unified School District has
25 complied, this action is removed to the United States District Court for the District of
26 Arizona.
27
28

1 Accordingly, Defendant Cave Creek Unified School District respectfully requests
2
3 that this Court assume full jurisdiction over the action as provided by law.

4 DATED this 9th day of December, 2024.

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7 WRIGHT WELKER & PAUOLE, PLC
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15 By /s/ David K. Pauole
16 David K. Pauole
17 Brett R. Steele
18 10429 South 51st Street, Suite 285
19 Phoenix, AZ 85044
20 Attorneys for Defendant Cave Creek
21 Unified School District
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CERTIFICATE OF SERVICE

15 I hereby certify that on December 9, 2024, I electronically transmitted the attached
16 document to the Clerk's Office using the CM/ECF System for filing and mailed a copy to
17 the following:

18 Robert T. Mills, Esq.
19 Sean A. Woods, Esq.
20 Mills + Woods Law, PLLC
21 5055 North 12th Street, Suite 101
22 Phoenix, AZ 85014
23 Attorneys for Plaintiffs
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23 /s/ Cindy M. Opsahl
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